

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT D. MABE, INC., d/b/a	:	
Ashville Apothecary and	:	
Circleville Apothecary, <u>et al.</u>,	:	
Plaintiffs	:	CIVIL ACTION NO. 3:17-1102
v.	:	(JUDGE MANNION)
OPTUM RX, Successor by	:	
Merger to Catamaran Corp.,	:	
Defendant	:	
	:	

ORDER

In accordance with the memorandum issued this same day, **IT IS**
HEREBY ORDERED THAT:

(1) The defendant's motion to compel arbitration and to dismiss
is **GRANTED IN PART AND DENIED IN PART.**

(2) To the extent the defendant seeks to compel arbitration, the
motion is **DENIED.**

(3) To the extent that the defendant seeks to dismiss certain of
the non-arbitrable claims, the defendant's motion is

GRANTED IN PART AND DENIED IN PART, as outlined in
the accompanying memorandum.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: May 28, 2021
17-1102-03-ORDER